

REMARKS

Receipt of the Office Action of August 27, 1999 is noted.

The substitute specification requested by the examiner is being submitted herewith with the required statement under 37 CFR 1,125(a).

The rejection of claims 1-39 under 35 USC 112, second paragraph as indefinite because of certain recitations in claims 1, 2, 17, 19, 25, 28, 29, 31, 34 and 37-39 is noted. Claims 1, 25, 28, 37, 38 and 39 have been amended to address the points raised by the examiner. It is respectfully submitted that the claims should now fully comply with the provisions of 35 USC 112. It should be kept in mind that the image receiving tape and the thermally sensitive image receiving tape are not the same. One, the image receiving tape is used with the ink ribbon in a first mode of operation and the thermally sensitive image tape is used alone in a second mode of operation. They are therefore not the same. Which one is used is a function of the mode of operation. regarding claims 17, 19, 31 and 34, the examiner is correct in that reflected light is detected. Still, this fact does not require any change to the noted claims since the markings are also being detected. The two are correlated. It is therefore not incorrect to refer to the markings and the light.

The examiner's indication that claims 3-6, 11-20, 22, 28-30 and 32-39 contain allowable subject matter is appreciated.

The examiner's rejection of claims 1, 2, 7-10, 21 and 23-27 as unpatentable under 35 USC 103(a) over Suzuki in view of Minowa is noted and respectfully traversed.

These references do not, it is respectfully submitted, disclose detecting means which detect the presence or absence of the ink ribbon, and a control means which controls the

print head as a function of whether a first mode or a second mode of operation is required, which requirement is resolved based upon what the detecting means detects.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 1-39 found allowable.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Felix J. D'Ambrosio', is written over a horizontal dashed line.

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